


IAP13 Rec'd PCT/PTO 25 SEP 2006

I hereby certify that this correspondence is being deposited with the US Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, express mailing label no. EV 616408434 US on the date of my signature and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

25 SEPTEMBER 2006  
Date

  
Nanci A. Musich

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re

Attorney Docket No.: 041165-9095-00

Application of

SANTHERA PHARMACEUTICALS  
(SCHWEIZ) GMBH

U.S. Serial No. 10/549,942  
(U.S. National Phase of  
PCT/EP2004/002896)

International Filing Date: 19 March 2004

SUBSTITUTED PIPERIDINE AND  
PIPERAZINE DERIVATIVES AS  
MELANOCORTIN-4 RECEPTOR  
MODULATORS

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Notification of Missing Requirements under 35 U.S.C. 371 which was mailed 27 July 2006, and a copy of which is attached. Enclosed is the Declaration and Power of Attorney and a check for \$130.00 in payment of the surcharge. A Sequence Listing is not being submitted because it is not applicable to this application.

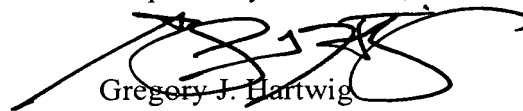
Charge or credit Deposit Account No. 13-3080 with any shortage or overpayment of the required fee. A duplicate of this sheet is enclosed.

09/28/2006 LLANDGRA 00000033 10549942

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Respectfully submitted,

  
Gregory J. Hartwig  
Reg. No. 46,761

Michael Best & Friedrich LLP  
100 East Wisconsin Avenue, Suite 3300  
Milwaukee, Wisconsin 53202-4108  
414.271.6560

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/549,942	Michael Soeberdt	041165-9095-00

Michael, Best & Friedrich LLP  
**RECEIVED**

INTERNATIONAL APPLICATION NO.
PCT/EP04/02896

I.A. FILING DATE	PRIORITY DATE
03/19/2004	03/20/2003

23409  
 MICHAEL BEST & FRIEDRICH, LLP  
 100 E WISCONSIN AVENUE  
 MILWAUKEE, WI 53202

JUL 31 2006  
 DOCKETING  
 MILWAUKEE, WI

CONFIRMATION NO. 7468

371 FORMALITIES LETTER



\*OC000000019762254\*

Date Mailed: 07/27/2006

DUE: 9-27-06

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/20/2005
- Copy of the International Search Report filed on 09/20/2005
- Copy of Article 19 Amendments filed on 09/20/2005
- Preliminary Amendments filed on 09/20/2005
- Information Disclosure Statements filed on 09/20/2005
- U.S. Basic National Fees filed on 09/20/2005
- Priority Documents filed on 09/20/2005
- Specification filed on 09/20/2005
- Claims filed on 09/20/2005
- Abstracts filed on 09/20/2005

**COPY**

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

DOCKETED

Date: 7-31-06

Also on GSH, NAM's docket

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Surcharge.**
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

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Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DCK.
10/549,942	PCT/EP04/02896	041165-9095-00

FORM PCT/DO/EO/905 (371 Formalities Notice)